

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In Re: JOINTLY ADMINISTERED UNDER
CASE NO. 10-38652

DUKE AND KING ACQUISITION CORP., Court File No. 10-38652

Debtors

Includes: Court File Nos:
Duke and King Missouri, LLC; 10-38653 (GFK)
Duke and King Missouri Holdings, Inc.; 10-38654 (GFK)
Duke and King Real Estate, LLC; and 10-38655 (GFK)
DK Florida Holdings, Inc. 10-38656 (GFK)

Chapter 11 Cases
Judge Gregory F. Kishel

**JOINDER BY BURGER KING CORPORATION TO THE OBJECTION TO THE U.S.
TRUSTEE’S MOTIONS FOR CONVERSION AND JOINDER IN SUPPORT OF
DEBTOR’S MOTION FOR SALE OF *DE MINIMUS* ASSETS**

Burger King Corporation (“BKC”) for the reasons set forth in the Official Committee of Unsecured Creditors’ Objection to the U.S. Trustee’s Motion to Convert [Motion to Convert Dkt No. 331, Objection Dkt No. 343] hereby joins in the objection to the U.S. Trustee’s Motion.

BKC additionally joins in the Motion by the Debtor to Sell Miscellaneous *De Minimus* Assets [Dkt. No. 327] and asks the Court to approve the sale despite the objections of the U.S. Trustee [Dkt. No. 330] for the reasons set forth in the Response of the Official Committee of Unsecured Creditors to the Objections of the U.S. Trustee [Dkt No. 346].

WHEREFORE, BKC requests that the Court deny the U.S. Trustee's Motion for Conversion, grant the Motion of the Debtor for sale of Miscellaneous *de minimus* assets and order such other and further relief as this Court deems appropriate.

Dated: June 14, 2011

/e/ Kenneth Corey-Edstrom

Kenneth Corey-Edstrom (148696)
Larkin Hoffman Daly & Lindgren Ltd.
1500 Wells Fargo Plaza
7900 Xerxes Avenue South
Minneapolis, Minnesota 55431-1194
(952) 835-3800

/e/ Paul J. Battista

Paul J. Battista, Esq. (FL. Bar No. 884162)
(Admitted pro hac vice)
GENOVESE JOBLOVE & BATTISTA, P.A.
100 S.E. Second Street, 44th Floor
Miami, FL 33131
305-349-2300

Attorneys for Burger King Corporation

1359944.1

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In Re: JOINTLY ADMINISTERED UNDER
CASE NO. 10-38652

DUKE AND KING ACQUISITION CORP., Court File No. 10-38652

Debtors

Includes: Court File Nos:
Duke and King Missouri, LLC; 10-38653 (GFK)
Duke and King Missouri Holdings, Inc.; 10-38654 (GFK)
Duke and King Real Estate, LLC; and 10-38655 (GFK)
DK Florida Holdings, Inc. 10-38656 (GFK)

Chapter 11 Cases
Judge Gregory F. Kishel

CERTIFICATE OF SERVICE

I, Kenneth Corey-Edstrom, under penalty of perjury, hereby declare that on June 14, 2011, in connection with the above-referenced matter, the following documents:

1. JOINDER BY BURGER KING CORPORATION TO THE OBJECTION TO
THE U.S. TRUSTEE'S MOTIONS FOR CONVERSION AND JOINDER IN
SUPPORT OF DEBTOR'S MOTION FOR SALE OF ASSETS

was filed by ECF and that ECF will send an e-notice of the electronic filing to parties requesting ECF service.

Dated: June 14, 2011

/e/ Kenneth Corey-Edstrom

Kenneth Corey-Edstrom